

**STATE OF VERMONT  
DEPARTMENT OF HEALTH  
BOARD OF MEDICAL PRACTICE**

In re: Jodi L. Peiser, M.D.

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Docket Nos. MPS 68-1000  
MPS 12-0201

**NOTICE OF ENTRY OF ORDER**

PLEASE TAKE NOTICE that an Order was issued and entered by the Board of Medical Practice on December 4, 2002 granting the State of Vermont's November 7, 2002 Motion to Protect Identity of Patients in Docket Nos. MPS 68-1000 and MPS 12-0201.

Dated: December 5, 2002

John Howland, Jr.  
Interim Director  
Board of Medical Practice

STATE OF VERMONT  
BOARD OF MEDICAL PRACTICE

In Re: Jodi L. Peister, M.D.

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Docket Nos. MPS 68-1000  
MPS 12-0201

MOTION TO PROTECT IDENTITY OF PATIENTS

COMES NOW Petitioner, the State of Vermont, by and through Attorney General William H. Sorrell and undersigned counsel, Assistant Attorney General James S. Arisman, and moves that the Board of Medical Practice ("Board") protect and hold confidential the identity of the patients in Board Docket Nos. MPS 68-1000 and MPS 12-201. For the reasons set forth below, the State moves this motion be granted.

1. Respondent Peister, a psychiatrist, by Stipulation and Consent Order with the Board, effective January 12, 2001, agreed, *inter alia*, to cease and desist from the practice of medicine, pending further order of the Board.

2. Respondent by Stipulation and Consent Order with the Board, effective November 6, 2002, agreed, *inter alia*, to surrender to the Board her Vermont license to practice medicine.

I. Docket No. MPS 68-1000.

3. The complainant in the above-docketed matter alleged, *inter alia*, sexual misconduct by Respondent that was related to the patient's care. Pursuant to 26 V.S.A. § 1360(c) the Board may enter an order to protect patient identity and medical records in proceedings before the Board. All filings by the State in this case have protected the patient's identity and have identified Respondent's patient (*i.e.*, the complainant) as "Patient A".

4. Pursuant to statute, the State now moves the Board for entry of an order providing that all aspects of the proceedings and record in this case be treated as closed, insofar as may be

necessary to protect the identity of the complainant and the confidentiality of the patient's medical records and comply with statutory provisions. The State specifically moves that information that might tend to identify or permit identification of the victim in this matter not be subject to public disclosure.

## II. Docket No. MPS 12-0201.

5. The complaint in the above-docketed matter alleged that Respondent may have engaged in conduct that violated the terms of her January 12, 2001 Stipulation and Consent Order with the Board. Respondent allegedly had communicated with a former patient who had previously received psychiatric care from Respondent. The patient was not the complainant to the Board.


6. Pursuant to 26 V.S.A. § 1318(c)(2)(A), only the identity of the licensee and the complainant may be disclosed as a matter of public record as part of the register of complaints to the Board of Medical Practice in those cases resulting in the filing of disciplinary charges or stipulations or disciplinary action. Therefore, the State now moves for protection of the identity of the patient in this matter and moves the Board for an order providing that no information shall be disclosed from its records that might identifying the patient in this matter by name.

WHEREFORE, petitioner, the State of Vermont, respectfully moves the Board of Medical Practice to grant the State's motion, as set forth above, to protect the identity of the respective patients and further moves that no disclosure of information inconsistent with this motion be made until such motion has been decided.

Dated at Montpelier, Vermont this 7<sup>th</sup> day of November 2002.

STATE OF VERMONT  
WILLIAM H. SORRELL  
ATTORNEY GENERAL

by:

  
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